

Notice of Allowability

Application No.

10/782,523

Examiner

Kuen S. Lu

Applicant(s)

EHRICH ET AL.

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 11/2/2007.
2. ☒ The allowed claim(s) is/are 1, 4-5, 7-8, 11-12, 14, 17-18, 20-21 and 23-24 (renumbered to 1-14).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 3/17/2007.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. This action is responsive to Applicant's Amendment filed November 2, 2006.

Applicant's Amendment amending claims 1, 4, 8, 11, 14, 17, 21 and 23-24, and canceling claims 2-3, 6, 9-10, 13, 15-16, 19, 22 and 25, are acknowledged. Examiner hereby withdraws 35 U.S.C. § 101 rejections to claims 1, 8 and 14, as necessitated by Applicant's amendment made to the claims.

2. After a thorough search and examination of the present application, and in light of the following:

Prior art made of record,

Applicant's Amendments and Remarks filed November 2, 2006 and

Examiner's amendments made March 17, 2007 that amended claims 8,11,14,17,23 and 24,

Claims 1, 4-5, 7-8, 11-12, 14, 17-18, 20-21 and 23-24 (renumbered to 1 to 14) are allowed.

Examiner's Amendments

3. Authorization for this Examiner's amendment, listed below, was given in a telephone interview with Ms. Leslie A. Van Leeuwen (Registration: 42,196) on March 17, 2007.

The interview summary is attached.

3.1. Please amend claims 8,11,14,17,23 and 24 as follows:

8. (Currently Amended) An information handling system comprising:

one or more processors;

a memory accessible by the processors;

one or more nonvolatile storage devices accessible by the processors; and

a page configuration tool for configuring a page of data, the page configuration tool comprising software code effective executing on a computer to:

receive a page request from a user's client, the page request corresponding to a page of data;

retrieve the page of data and a data collector program from one of the nonvolatile storage devices;

send the page of data and the data collector program to the user's client over a computer network;

receive user event data corresponding to the page of data over a computer network, the user event data non-invasively collected at the user's client using the data collector program;

identify one or more configuration preferences based upon the user event data;

send a storage inquiry to the user's client over the computer network, the storage inquiry corresponding to the configuration preferences;

receive a storage response from the user's client, the storage response corresponding to the storage inquiry; and

determine whether a user session corresponds to the user's client;

in response to determining that the user session corresponds to the user's client,

send the configuration preferences to the user's client over the computer network, wherein the user's client is adapted to store the configuration preferences in a client storage area; and

in response to determining that the user session does not correspond to the user's client,

store the configuration preferences in one of the nonvolatile storage areas.

11. (Currently Amended) The information handling system of claim 8 wherein the software code is further effective executing on a computer to:

receive a subsequent page request from the user's client over the computer network;

determine whether the configuration preferences correspond to the subsequent page request;

retrieve the configuration preferences from one of the nonvolatile storage devices in response to determining that the configuration preferences correspond to the subsequent page request;

configure the page of data corresponding to the configuration preferences; and

send the configured page of data to the user's client over the computer network.

14. (Currently Amended) ~~A program product comprising: computer operable medium having computer program code, the computer program code being effective to:~~

A computer program product stored in a computer storage medium, the computer storage medium containing instructions for execution by a computer, which when executed by the computer, cause the computer to implement a method comprising:

~~receive~~ receiving a page request from a user's client, the page request corresponding to a page of data;

~~retrieve~~ retrieving the page of data and a data collector program;

~~send~~ sending the page of data and the data collector program to the user's client;

~~receive~~ receiving user event data corresponding to the page of data, the user event data non-invasively collected at the user's client using the data collector program;

~~identify~~ identifying one or more configuration preferences based upon the user event data;

~~send~~ sending a storage inquiry to the user, the storage inquiry corresponding to the configuration preferences;

~~receive~~ receiving a storage response, the storage response corresponding to the storage inquiry;

~~determine~~ determining whether a user session corresponds to the user's client;

in response to determining that the user session corresponds to the user's client,

~~send~~ sending the configuration preferences to the user's client, wherein the

user's client is adapted to store the configuration preferences in a client storage area;
and,

in response to determining that the user session does not correspond to the
user's client,

~~store~~ storing the configuration preferences in a local storage area.

17. (Currently Amended) The program product of claim 14 wherein the ~~software code~~
is ~~further effective to~~ method further comprises:

~~receive~~ receiving a subsequent page request;

~~determine~~ determining whether the configuration preferences correspond to the
subsequent page request;

~~retrieve~~ retrieving the configuration preferences in response to determining that
the configuration preferences correspond to the subsequent page request;

~~configure~~ configuring the page of data corresponding to the configuration
preferences; and

~~send~~ sending the configured page of data to the user.

23. (Currently Amended) An information handling system comprising:

one or more processors;

a memory accessible by the processors;

one or more nonvolatile storage devices accessible by the processors; and

a page configuration tool for configuring a page of data, the page configuration

tool comprising software code ~~effective~~ executing on a computer to:

receive user event data from a user's client over a computer network, wherein the user event data is non-invasively collected at the user's client using a data collector program, the user event data corresponding to a user and a page of data;

identify one or more configuration preferences based upon the user event data;

send a storage inquiry to the user over the computer network, the storage inquiry corresponding to the configuration preferences;

receive a storage response from the user's client over the computer network, the storage response corresponding to the storage inquiry;

determine whether a user session corresponds to the user's client;

in response to determining that the user session corresponds to the user's client,

send the configuration preferences to the user's client over the computer network, wherein the user's client is adapted to store the configuration preferences in a client storage area; and

in response to determining that the user session does not correspond to the user's client,

store the configuration preferences in one of the nonvolatile storage areas; nonvolatile storage devices based upon the storage response;

receive a page request from the user's client over the computer network;

determine whether the configuration preferences correspond to the page request;

retrieve the configuration preferences from one of the nonvolatile storage devices in response to the determination;

configure the page of data corresponding to the configuration preferences;
send the configured page of data to the user's client over the computer network.

24. (Currently Amended) ~~A program product comprising: computer operable medium having computer program code, the computer program code being effective to:~~

A computer program product stored in a computer storage medium, the computer storage medium containing instructions for execution by a computer, which when executed by the computer, cause the computer to implement a method comprising:

~~receive~~ receiving user event data, wherein the user event data is non-invasively collected at a user's client using a data collector program, the user event data corresponding to a user and a page of data;

~~identify~~ identifying one or more configuration preferences based upon the user event data;

~~send~~ sending a storage inquiry to the user, the storage inquiry corresponding to the configuration preferences;

~~receive~~ receiving a storage response, the storage response corresponding to the storage inquiry;

~~determine~~ determining whether a user session corresponds to the user's client;

in response to determining that the user session corresponds to the user's client,

~~send~~ sending the configuration preferences to the user's client, wherein the

user's client is adapted to store the configuration preferences in a client storage area;
and

in response to determining that the user session does not correspond to the
user's client,

~~store~~ storing the configuration preferences in a local storage area;

~~receive~~ receiving a page request;

~~determine~~ determining whether the configuration preferences correspond to the
page request;

~~retrieve~~ retrieving the configuration preferences in response to the determination;

~~configure~~ configuring the page of data corresponding to the configuration
preferences; and

~~send~~ sending the configured page of data to the user.

Reasons For Allowance

4. The following is an examiner's statement of reasons for allowance:

In the Examiner's Office Action for non-Final Rejection of August 99, 2006, 35
U.S.C. 35 U.S.C. § 102, rejections was based on a primary reference Abdelhak: U.S.
Patent Application 2005/0097190, "SYSTEM AND METHOD FOR CUSTOMIZED
PORTAL WEB PAGES", published May 5, 2005.

In the Remarks filed on November 2, 2006, concerning subject matter claimed in the
independent claims 1, 8, 14, 21 and 23-24, Applicant specifically pointed out that the
cited Abdelhak reference depends upon invasive user interaction to perform data

collection steps, which is different than non-invasively collecting user event data using a data collection program as claimed by Applicants. Applicants further summarized that the claimed subject matter mainly collects user event data (e.g., keystrokes, mouse clicks, etc.) using a data collector program and, in turn, identifies configuration preferences based upon the user event data, while Abdelhak merely provides a menu to a user for the user to select configuration preferences.

Based on the newly amended elements as described and combined with elements of **receive user event data, wherein the user event data is non-invasively collected at a user's client ...;**

determine whether a user session corresponds to the user's client;

in response to determining that the user session corresponds to the user's client, send the configuration preferences to the user's client, wherein the user's client is adapted to store the configuration preferences in a client storage area; and

in response to determining that the user session does not correspond to the user's client, store the configuration preferences in a local storage area;

receive a page request;

determine whether the configuration preferences correspond to the page request; retrieve the configuration preferences in response to the determination; and

configure the page of data corresponding to the configuration preferences,

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and the subject matter taught in the detailed combined elements in each of independent claims 1, 8, 14, 21 and 23-24, is distinctive to the prior art made of record.

A update search for the prior arts on EAST database has been recently conducted to further extend and update the scope the searches conducted over the past on domains (EAST, NPL-ACM, Google, NPL-IEEE). The prior arts searched and investigated in domains (EAST, NPL-ACM, Google, NPL-IEEE) do not fairly teach or suggest the teaching of the combined elements as claimed in the independent claims 1, 8, 14, 21 and 23-24.

The dependent claims in the groups (4-5 and 7), (11 and 12) and (17-18 and 20), depending on claims 1, 8 and 14, respectively, also distinct from the prior art for the same reason.

Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuen S. Lu whose telephone number is (571) 272-4114. The examiner can normally be reached on Monday-Friday (8:00 am-5:00 pm). If attempts to reach the examiner by telephone pre unsuccessful, the examiner's Supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 703-305-3900.

Information regarding the status of an application may be obtained from the Patent

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Application Information Retrieval (PAIR) system. Status information for Page 13

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 703-305-3900 (toll free).

Kuen S. Lu, *K S Lu*

Patent Examiner, Art Unit 2167 March 17, 2007


JOHN COTTINGHAM
SUPERVISOR, PATENT EXAMINER